UNITED STATES PATENT AND TRADEMARK OFFICE

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10/626,388	07/24/2003	Julian A.Q. Spencer	P1914US00	9800

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/626,388	SPENCER, JULIAN A.Q.
	Examiner	Art Unit	
	Brian L. Albertalli	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 June 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-16 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 2, 6, 7, 11, 12, and 16-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over James et al. (U.S. Patent 7,036,080), in view of Applicant's Admitted

Prior Art.

In regard to claim 1, James et al. disclose a method for activating an object for

highlighting during display of information in a window (see Fig. 3, window 300), the

object occupying a portion of the information displayed in the window, the method

comprising the steps of:

recognizing the speaking of an activation word associated with the object (SR

engine recognizes a voice command, column 5, lines 28-33), an activation link being

associated with the object (see Fig. 4B, actions associated with various voice

commands);

invoking the activation link associated with the object when the activation word is

recognized (the objects selected with the voice command have actions which are

executed when the objects are selected, column 5, lines 34-41);

taking an activation action associated with the activation link when the activation

link is invoked (the objects selected with the voice command have actions which are

executed when the objects are selected, column 5, lines 34-41); and

generating modified display data associated with the information when the

activation action is taken (the object is modified on the display, column 5, lines 46-48);

wherein the modified display data includes highlighting of the portion of the

window in which the object is displayed in the information (the selected object is

highlighted, column 5, lines 46-48).

James et al. further disclose that the method of highlighting objects on a screen

is for use in any general GUI running an application program (column 3, lines 1-27),

however James et al. do not disclose the information is presented as a "presentation"

(such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are

widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify the method of highlighting objects on a screen disclosed by James

et al. to be used in a presentation scenario, because this would allow the information

displayed to be conveyed to an audience.

In regard to claim 2, James et al. disclose the step of preparing the information for highlighting including:

designating a portion of the information as the object for highlighting by associating the designated portion with the activation link;

designating the activation word associated with the activation link; and

designating the activation action associated with the activation link and the highlighting (a grammar structure is built from the on screen contents of the GUI; the grammar structure built designates an object with an activation link, a word associated with the activation link and an activation action associated with the activation link, column 5, lines 6-12 and Fig. 4B; objects that are selected are then highlighted when spoken, column 5, lines 46-48).

James et al. further disclose that the method of highlighting objects on a screen is for use in any general GUI running an application program (column 3, lines 1-27), however James et al. do not disclose the information is presented as a "presentation" (such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of highlighting objects on a screen disclosed by James et al. to be used in a presentation scenario, because this would allow the information displayed to be conveyed to an audience.

In regard to claim 6, James et al. disclose the activation action includes applying a graphic effect to the designated portion (highlighting, column 5, lines 46-48).

In regard to claim 7, James et al. disclose an apparatus for activating an objecting for highlighting, the apparatus comprising:

a processor (Fig. 2, 205, column 3, lines 52-53);

a sound transducer coupled to the processor (Fig. 2, microphone 215, column 3, lines 61-62); and

a memory associated with the processor and the sound transducer (Fig. 2, memory 225, column 3, lines 54-60), the memory for storing instructions for causing the processor to:

recognize an activation word being spoken into the sound transducer (SR engine recognizes a voice command, column 5, lines 28-33), the activation word associated with the object, an activation link being associated with an object (see Fig. 4B, actions associated with various voice commands);

invoke the activation link associated with the object when the activation word is recognized (the objects selected with the voice command have actions which are executed when the objects are selected, column 5, lines 34-41);

taking an activation action associated with the activation link when the activation link in invoked (the objects selected with the voice command have actions which are executed when the objects are selected, column 5, lines 34-41); and

generate modified display data associated with the presentation when the

activation action is taken (the object is modified on the display, column 5, lines 46-48);

wherein the modified display includes the highlighting of the portion of the

window in which the object is displayed in the presentation (the selected object is

highlighted, column 5, lines 46-48).

James et al. further disclose that the apparatus highlighting objects on a screen

is for use in any general GUI running an application program (column 3, lines 1-27),

however James et al. do not disclose the information is presented as a "presentation"

(such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are

widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify the apparatus for highlighting objects on a screen disclosed by

James et al. to be used in a presentation scenario, because this would allow the

information displayed to be conveyed to an audience.

In regard to claim 11, James et al. disclose the activation action includes

applying a graphic effect to the designated portion (highlighting, column 5, lines 46-48).

In regard to claim 12, James et al. disclose an apparatus for activating an object

for highlighting, the apparatus comprising:

a processor (Fig. 2, 205, column 3, lines 52-53);

a voice recognition module coupled to the processor (SR engine, column 5, lines 23-25), the voice recognition module for recognizing an activation word spoken into a sound transducer associated with the voice recognition module (SR engine recognizes a voice command, column 5, lines 28-33), the activation word associated with the object and an activation link (see Fig. 4B, actions associated with various voice commands); and

a memory associated with the processor and the voice recognition module (Fig. 2, memory 225, column 3, lines 54-60), the memory for storing instructions for causing the processor to:

invoke the activation link associated with the object when the activation word is recognized (the objects selected with the voice command have actions which are executed when the objects are selected, column 5, lines 34-41),

taking an activation action associated with the activation link when the activation link is invoked (the objects selected with the voice command have actions which are executed when the objects are selected, column 5, lines 34-41); and

generate modified display data associated with the presentation when the activation action is taken (the object is modified on the display, column 5, lines 46-48);

wherein the modified display includes the highlighting of the portion of the window in which the object is displayed in the presentation (the selected object is highlighted, column 5, lines 46-48).

James et al. further disclose that the apparatus highlighting objects on a screen is for use in any general GUI running an application program (column 3, lines 1-27),

however James et al. do not disclose the information is presented as a "presentation"

(such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are

widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify the apparatus for highlighting objects on a screen disclosed by

James et al. to be used in a presentation scenario, because this would allow the

information displayed to be conveyed to an audience.

In regard to claim 16, James et al. disclose the activation action includes

applying a graphic effect to the designated portion (highlighting, column 5, lines 46-48).

In regard to claim 17, James et al. disclose the highlighting applied to the portion

of the window in which the object is displayed distinguishes the portion of the window

from anther portion of the window (the selected object is highlighted, column 5, lines 46-

48; by definition, highlighting an object "distinguishes the object" from another portion of

the window).

In regard to claim 18, James et al. disclose the highlighting applied to the portion

of the window in which the object is displayed, and the highlighting is not applied to

portions of the window in which the object is not displayed (the selected object is

highlighted, column 5, lines 46-48; by definition, highlighting is applied to the portion to

be highlighted and not the rest of the window in which an object is not displayed).

In regard to claim 19, James et al. disclose the window on which the presentation

is displayed comprises a plurality of portions, each portion of the plurality of portions

having an object of the information (Fig. 3, each label is selectable as an object, column

6, lines 18-28).

James et al. further disclose that the apparatus highlighting objects on a screen

is for use in any general GUI running an application program (column 3, lines 1-27),

however James et al. do not disclose the information is presented as a "presentation"

(such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are

widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify the apparatus for highlighting objects on a screen disclosed by

James et al. to be used in a presentation scenario, because this would allow the

information displayed to be conveyed to an audience.

In regard to claim 20, James et al. do not disclose generating the presentation

displayed in the window by a computer using presentation software.

Applicant's Admitted Prior Art discloses computers running presentation software

are well known (page 5, paragraph 14).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify James et al. to run a presentation software program and use the highlighting method with the presentation software, because such software allows the information displayed to be conveyed to an audience.

In regard to claim 21, James et al. disclose the object comprises at least one word displayed in the window (e.g. "Friday", see Fig. 3 and column 6, lines 29-37).

James et al. further disclose that the apparatus highlighting objects on a screen is for use in any general GUI running an application program (column 3, lines 1-27), however James et al. do not disclose the information is presented as a "presentation" (such as to an audience).

Applicant's Admitted Prior Art discloses that visual presentation systems are widely known and used (see Fig. 1 and page 5, paragraph 14 of the specification).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the apparatus for highlighting objects on a screen disclosed by James et al. to be used in a presentation scenario, because this would allow the information displayed to be conveyed to an audience.

4.   Claims 3, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over James et al., in view of Applicant's Admitted Prior Art, and further in view of Young et al. (U.S. Patent 6,064,909).

James et al. and Applicant's Admitted Prior Art do not disclose the activation

action includes substitution of the designated portion with another object.

Young et al. disclose a method and apparatus for selecting objects through

voice, wherein the activation action includes substitution of the designated portion with

another object (Fig. 15, MAKETHAT processing, when text is selected on the screen,

the MAKETHAT command replaces the selected text with substitute text, column 21,

lines 11-26).

It would have been obvious to one of ordinary skill in the art at the time of

invention to further modify the combination of James et al. and Applicant's Admitted

Prior Art to substitute the designated portion with another object, because this allows

incorrect text to be quickly replaced with correct text, as taught by Young et al. (column

2, lines 20-21).

5.   Claims 4, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable

over James et al., in view of Applicant's Admitted Prior Art, and further in view of Nolting

(U.S. Patent 6,718,308).

James et al. and Applicant's Admitted Prior Art do not disclose the activation

action includes activating a multimedia object associated with the designated portion.

Nolting discloses a method and apparatus for presentations, wherein an

activation action includes activating a multimedia object associated with the designated

portion (play, pause, etc. of a multimedia object, column 4, lines 37-53).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify James et al. and Applicant's Admitted Prior Art to activate a

multimedia object associated with the designated portion, because this would provide

hands free manipulation of the multimedia objects while conducting a presentation, as

taught by Nolting et al. (column 2, lines 50-56).

6.   Claims 5, 10, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over James et al., in view of Applicant's Admitted Prior Art, and further in view of

Microsoft (*Computer Dictionary*).

James et al. discloses highlighting an object, but does not specifically disclose

that the highlighting involves changing the background color of the object.

Microsoft discloses highlighting includes changing a background color associated

with the designated portion (light on dark rather than dark on light, page 253, "highlight"

entry).

It would have been obvious to one of ordinary skill in the art at the time of

invention to modify James et al. and Applicant's Admitted Prior Art to highlight changing

the background color associated with the designated portion, because this calls

attention to the object, as taught by Microsoft, page 253, "highlight" entry).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-

7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every

second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the

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BLA 7/30/07

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